

NOTICE OF SUSPENSION AND RESTITUTION

ADB 62-89; 73-89

Richard Lee Miller, P-17781, Grosse Pointe Farms, Michigan, by
Attorney Discipline Board Wayne County Hearing Panel #1.

- 1) Suspension - three years;
- 2) Effective September 20, 1989.

The respondent failed to answer the formal complaint, but appeared at the hearing held in Detroit on June 14, 1989. Respondent's oral motion to set aside default was denied, and respondent failed to appear at a second hearing held in Detroit on July 20, 1989. Respondent's default was entered and the hearing panel determined that the default established the allegations of the formal complaint. Respondent was retained to probate an estate and was appointed co-personal representative, but failed to account for the sum of \$17,924.00 properly entrusted to him as co-personal representative. The hearing panel ordered restitution in the amount of \$9750.00. Respondent's conduct was found to be in violation of MCR 9.104(1-4); and Canons 1, 2 and 9 of the Code of Professional Responsibility, DR 1-102(A)(3-6); DR 2-106(A); and DR 9-102(B)(1-4). Costs were assessed in the amount of \$572.78.